

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION

Terrance Donell Woodruff,	)	C/A No.: 1:11-2967-CMC-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Lt. Hambrick,	)	
	)	
Defendant.	)	
	)	

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Plaintiff, proceeding *pro se* and in forma pauperis, brought this action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights while incarcerated at Allendale Correctional Institution. This matter is before the court on Plaintiff's motion to amend and for subpoenas [Entry #41] filed on March 27, 2012. All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.).

Plaintiff's motion for subpoenas requests subpoenas in order to secure the presence of witnesses at trial. As previously noted in the court's March 20, 2012 order denying his prior motion for a subpoena [Entry #39], Plaintiff will have ample time to request and submit subpoenas when a trial date is set in the event this matter survives summary judgment. Therefore, Plaintiff's motion for subpoenas is denied without prejudice as premature at this time.

Plaintiff's motion also states that he "would like to file a motion to amend [his] pleading in this case" and notes that he is responding to the scheduling order in this matter. Plaintiff has previously amended his complaint in this matter [Entry #33]. To the

extent he seeks to amend his complaint, Plaintiff's motion is denied for failure to provide a proposed amended complaint. Additionally, the court notes that while the scheduling order established a deadline for amendment of pleadings, no amendment of the pleading is necessary unless Plaintiff were seeking to change his complaint, which in this case he is not.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Shiva V. Hodges". The signature is written in a cursive, flowing style.

March 28, 2012  
Columbia, South Carolina

Shiva V. Hodges  
United States Magistrate Judge